

STATE OF WISCONSIN

Senate Journal

Eighty-Sixth Regular Session

TUESDAY, February 28, 1984

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The roll was called and the following senators answered to their names:

Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno and Van Sistine -- 31.

Absent -- Senator Thompson -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend David B. Hamilton of Memorial Baptist Church, Verona.

The senate remained standing and Senator Lorman led the senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 646

Relating to eliminating the statute of limitations for worker's compensation claims and providing the department of industry, labor and human relations with continuing jurisdiction over certain of those claims.

By Senator George; cosponsored by Representative M. Coggs.

To committee on Labor, Business, Veterans Affairs and Insurance.

Senate Bill 647

Relating to the operation of a towed motor vehicle.

By Senators Kreul and Otte; cosponsored by Representatives Vanderperren and Hasenohrl.

To committee on Transportation.

Senate Bill 648

Relating to the salary of members of the legislature.

By Senators Johnston, Harsdorf, Hanaway and Lorman; cosponsored by Representatives Goodrich, Rude, Jaronitzky, Radtke, Kasten and Goetsch.

To committee on Urban Affairs and Government Operations.

Senate Bill 649

Relating to various changes in the unemployment compensation law, satisfaction of child support obligations from unemployment compensation benefits and making appropriations.

By Senator Van Sistine; cosponsored by Representative Looby.

To committee on Labor, Business, Veterans Affairs and Insurance.

Senate Bill 650

Relating to minority business certification and granting rule-making authority.

By Senator George; cosponsored by Representatives M. Coggs, S. Coggs and Williams, by request of Lt. Governor Flynn.

To committee on Labor, Business, Veterans Affairs and Insurance.

COMMITTEE REPORTS

The committee on Health, Education, Corrections and Human Services reports and recommends for introduction:

Senate Bill 651

Relating to the licensure and regulation of midwives by the department of regulation and licensing, the creation of a midwives examining council, granting rule-making authority and providing a penalty.

Introduction:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

CARL W. THOMPSON
Chair

Read first time and referred to committee on Health, Education, Corrections and Human Services.

The committee on Health, Education, Corrections and Human Services reports and recommends:

Senate Bill 600

Relating to establishing high school graduation standards, granting rule-making authority and making an appropriation.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Thompson, Strohl, Norquist, Lorman and Moen;

Noes, 1 -- Senator Davis.

Passage as amended:

Ayes, 5 -- Senators Thompson, Strohl, Norquist,
Lorman and Moen;

Noes, 1 -- Senator Davis.

Assembly Bill 671

Relating to privileged communications between a patient and a registered nurse.

Concurrence:

Ayes, 5 -- Senators Thompson, Strohl, Lorman,
Davis and Moen;

Noes, 1 -- Senator Norquist.

Senate Bill 599

Relating to directing the department of public instruction to develop vocational education curricula, administrator training programs, computer education services and an education excellence program, creating a council on administrator training and development, making appropriations and granting rule-making authority.

Passage:

Ayes, 6 -- Senators Thompson, Norquist, Strohl,
Lorman, Davis and Moen;

Noes, 0 -- None.

Assembly Bill 236

Relating to revising the prison industries program, creating a prison industries board and making an appropriation.

Introduction and adoption of senate amendment 1:

Ayes, 6 -- Senators Thompson, Norquist, Strohl,
Lorman, Davis and Moen;

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 6 -- Senators Thompson, Norquist, Strohl,
Lorman, Davis and Moen;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 6 -- Senators Thompson, Norquist, Strohl,
Lorman, Davis and Moen;

Noes, 0 -- None.

CARL W. THOMPSON
Chair

The committee on Transportation reports and recommends:

Senate Bill 552

Relating to permits for loads of hay that exceed statutory width limits.

Passage:

Ayes, 5 -- Senators Otte, Moen, Maurer, Ellis and
Kreul;

Noes, 0 -- None.

Senate Bill 573

Relating to discontinuing the annual medical report to maintain an operator's license for epileptics who are free of seizures for 10 years following the issuance of the license.

Passage:

Ayes, 5 -- Senators Otte, Moen, Maurer, Ellis and
Kreul;

Noes, 0 -- None.

Senate Bill 604

Relating to automobile, motorcycle, moped and motor bicycle definitions and equipment standards, providing penalties and granting rule-making authority.

Passage:

Ayes, 5 -- Senators Otte, Moen, Maurer, Ellis and
Kreul;

Noes, 0 -- None.

Assembly Bill 205

Relating to procedures for enforcing violations observed by a school bus operator.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Otte, Moen, Maurer, Ellis and
Kreul;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Otte, Moen, Maurer, Ellis and
Kreul;

Noes, 0 -- None.

Assembly Bill 425

Relating to school bus drivers' licenses.

Concurrence:

Ayes, 5 -- Senators Otte, Moen, Maurer, Ellis and
Kreul;

Noes, 0 -- None.

Assembly Bill 480

Relating to transportation of pupils and other persons in school busses or other vehicles and transportation of elderly or handicapped persons in human service vehicles and providing penalties.

Concurrence:

Ayes, 5 -- Senators Otte, Moen, Maurer, Ellis and
Kreul;

Noes, 0 -- None.

Assembly Bill 525

Relating to county and city transit commission members.

Concurrence:

Ayes, 5 -- Senators Otte, Moen, Maurer, Ellis and
Kreul;

Noes, 0 -- None.

Assembly Bill 627

Relating to review of denial of access to a state trunk highway.

Concurrence:

Ayes, 3 -- Senators Otte, Moen and Maurer;

Noes, 2 -- Senators Kreul and Ellis.

Assembly Bill 689

Relating to exempting public highway rights-of-way from adverse possession claims.

Concurrence:

Ayes, 4 -- Senators Otte, Maurer, Moen and Ellis;

Noes, 1 -- Senator Kreul.

Assembly Bill 739

Relating to repealing certain provisions relating to railroads.

Concurrence:

Ayes, 5 -- Senators Otte, Moen, Maurer, Ellis and Kreul;

Noes, 0 -- None.

Assembly Bill 219

Relating to use of the nonmoving traffic violation procedure.

Concurrence:

Ayes, 5 -- Senators Otte, Moen, Maurer, Ellis and Kreul;

Noes, 0 -- None.

CARL OTTE

Chair

The committee on Aging, Financial Institutions and State Institutions reports and recommends:

Senate Bill 444

Relating to supplementary retirement benefits for certain persons and making an appropriation.

Passage:

Ayes, 6 -- Senators Feingold, Thompson, Czarnecki, Engleiter and Lorman;

Noes, 0 -- None.

RUSS FEINGOLD

Chair

The committee on Energy and Environmental Resources reports and recommends:

Senate Bill 611

Relating to the Wisconsin conservation corps program and changing certain appropriations for the Wisconsin conservation corps program from annual to biennial appropriations.

Passage:

Ayes, 4 -- Senators Strohl, Lee, Helbach and Ellis;

Noes, 1 -- Senator Opitz.

Senate Bill 202

Relating to ratification of the midwest interstate low-level radioactive waste compact, creating a midwest interstate low-level radioactive waste commission, creating a penalty and making appropriations.

Adoption of senate amendment 1:

Ayes, 5 -- Senators Strohl, Lee, Helbach, Opitz and Ellis;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Strohl, Lee, Helbach, Opitz and Ellis;

Noes, 0 -- None.

Assembly Joint Resolution 81

Relating to support for legislation to establish an American conservation corps.

Concurrence:

Ayes, 4 -- Senators Strohl, Lee, Helbach and Ellis;

Noes, 1 -- Senator Opitz.

Assembly Bill 706

Relating to the financial assistance program for septic tank replacement and rehabilitation.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Strohl, Lee, Helbach, Opitz and Ellis;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 3 -- Senators Strohl, Lee and Helbach;

Noes, 2 -- Senators Opitz and Ellis.

JOE STROHL

Chair

The committee on Urban Affairs and Government Operations reports and recommends:

KASTER, STEPHEN H., of Green Bay, as a member of the Real Estate Examining Board, to serve for the term ending May 1, 1987.

Confirmation:

Ayes, 4 -- Senators Lee, Van Sistine, Strohl and Johnston;

Noes, 0 -- None.

SILVERS, JAN, of Madison, as a member of the Real Estate Examining Board, to serve for the term ending May 1, 1987.

Confirmation:

Ayes, 4 -- Senators Lee, Van Sistine, Strohl and Johnston;

Noes, 0 -- None.

McCALLUM, LAURIE, of Madison, as a member of the Personnel Commission, to serve for the term ending March 1, 1989.

Confirmation:

Ayes, 4 -- Senators Lee, Van Sistine, Strohl and Johnston;

Noes, 0 -- None.

Assembly Bill 396

Relating to the size of a county public work contract which can be let without advertising for bids.

Concurrence:

Ayes, 3 -- Senators Lee, Strohl and Johnston;

Noes, 1 -- Senator Van Sistine.

Assembly Bill 343

Relating to determination of fees charged for parking at state parking facilities.

Concurrence:

Ayes, 4 -- Senators Lee, Van Sistine, Strohl and Johnston;

Noes, 0 -- None.

Senate Bill 550

Relating to increasing the scope of authority of redevelopment authorities to eliminate blight and clear slums and to redefining 'blighted area' for the purposes of redevelopment authorities and tax incremental financing.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Lee, Van Sistine, Strohl and Johnston;
 Noes, 0 -- None.
 Passage as amended:
 Ayes, 4 -- Senators Lee, Van Sistine, Strohl and Johnston;
 Noes, 0 -- None.

Lynette Danford

75.00

MORDECAI LEE
 Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
 Claims Board

February 24, 1984

Don Schneider
 Senate Chief Clerk
 State Capitol
 Madison, Wisconsin

Dear Mr. Schneider:

Enclosed is the report of the State Claims Board covering claims heard on February 20, 1984.

The amounts recommended for payment under \$1000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$1,000, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,
 EDWARD D. MAIN
 Secretary

STATE OF WISCONSIN
 CLAIMS BOARD

The State Claims Board conducted hearings at the State Capitol Building, Madison, Wisconsin on February 20, 1984, upon the following claims:

Claimant	Amount
Claudia & William Levin	\$ 2,079.10
Francis Hemauer	500,000.00

In addition, the following claims were considered and decided without hearings:

Milwaukee Mutual Insurance Co.	\$129.88
Lana Potisk	187.43
Mitchell Frank	26.00
Sally Anderson	520.28

THE BOARD FINDS:

1. William and Claudia Levin of Madison claim \$2,079.10 for water damage to 44 pairs of shoes and miscellaneous items which were stored in claimants' designated basement storage area at the University of Wisconsin - Madison Eagle Heights Apartment on August 28, 1983. The water damage allegedly occurred when the building sewer line backed up into the basement. The Board concludes that the claim in the reduced amount of \$500 should be paid based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the University of Wisconsin appropriation s. 20.285(1)(h), Stats.

2. Francis Hemauer of Conover claims \$500,000.00 as compensation for wrongful imprisonment under s. 775.05, Stats. Claimant requests compensation for his imprisonment for the alleged commission of attempted murder, rape and abduction which crime occurred on October 15, 1968. On September 28, 1972, claimant was found guilty of the alleged crimes and was imprisoned until April 8, 1981, when he was freed by the Hon. Marvin C. Holz on the basis of the results of chemical tests performed on the evidence in the case in 1980, which proved that claimant was not guilty of the crimes. In view of the evidence presented to the Board and the time served by the claimant from September 28, 1972 until April 8, 1981, the Board recommends that the state in good conscience should compensate claimant \$10,000 per year for the time he was incarcerated, because the Board feels that the \$5,000 per year amount for these kinds of claims is inadequate, for a total award of \$85,260.28.

3. Milwaukee Mutual Insurance Company claims \$129.88 subrogation damages. Its insured, Mrs. Donald Lane, submitted a claim to the insurance company for damages to her automobile incurred on August 29, 1982, while parked at the Southern Wisconsin Center. The damage was caused by a resident of the Center who ran into the vehicle with his bicycle causing the damages. Consistent with a long-standing policy of this Board concerning subrogation damages, the Board concludes the claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

4. Lana Potisk of Burlington claims \$187.43 for damages to her automobile fender and hood, allegedly incurred at the Southern Wisconsin Center on September 3, 1983, although there were no witnesses as to how the damage was caused. Claimant received \$151.60 from her insurance company for the damage to her vehicle. The Board concludes the claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

5. Mitchell Frank of Oshkosh claims \$26 for repairs to his wedding ring allegedly necessitated by an accident on September 7, 1983, at the Wisconsin Resource Center, where he is employed. Claimant was responding to an

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inmate trouble call and as he passed through a doorway his ring caught on the door frame plate cutting his finger. As a result, claimant's hand began to swell, necessitating cutting off his ring and later repairing it. The Board concludes there has been no showing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

6. Sally Anderson of Fond du Lac claims \$520.28 for repairs of scratches and dents to her automobile allegedly incurred while parked in Sherman Hall parking lot at the Winnebago Mental Health Institute on October 1, 1983, although there were no witnesses and no evidence of how the damage actually occurred. The Board concludes there is no evidence of negligence on the part of the employes, officers or agents of the state and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

7. Lynette Danford of Waukesha claims \$75 for damage to her vehicle windshield incurred while she was driving on Highways 164 and 190 near Pewaukee, WI on June 13, 1983. A stone was thrown against her windshield from the tire of a state vehicle painting stripes on the highway. Claimant originally tried to repair the windshield at a cost of \$25 and subsequently had the windshield replaced at a cost of \$133.64. Claimant received \$83.64 from her insurance company for replacement of her windshield. The Board concludes the claim in the reduced amount of \$50, which is the amount of claimant's insurance deductible, should be paid based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the Department of Transportation appropriation s. 20.395(3)(hq), Stats.

THE BOARD CONCLUDES:

1. The claims of the following claimants should be denied:

Milwaukee Mutual Insurance Company
Lana Potisk
Mitchell Frank
Sally Anderson

2. Payment of the following amounts to the following claims is justified under s. 16.007, Stats.:

Claudia & William Levin	\$500.00
Lynette Danford	50.00

THE BOARD RECOMMENDS:

1. Payment of \$85,260.28 be made to Francis Hemaer as compensation for his wrongful imprisonment from September 28, 1982 until April 8, 1981. The Board recommends payment of \$10,000 per year for the time claimant was incarcerated because the Board feels that the \$5,000 per year amount provided for these kinds of claims under s. 775.05, Stats., is inadequate.

Dated at Madison, Wisconsin this 23rd day of February, 1984.

GERALD D. KLECZKA
(Absent)

Senate Finance Committee

MARLIN D. SCHNEIDER
Assembly Finance Committee

DANAE DAVIS GORDON
Representative of Governor

EDWARD D. MAIN
Representative of Secretary of
Administration

WILLIAM H. WILKER
Representative of Attorney
General

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

February 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARY L. LINTON of Milwaukee to the Ethics Board pursuant to the statute governing, to serve a term to expire May 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Urban Affairs and Government Operations.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

February 23, 1984

To the Honorable, the Senate:

This is to inform you that I am correcting the expiration date on the term of JOYCE G. POULSEN whom I have nominated and with the advice and consent of the Senate, did appoint to the Board on Aging and Long Term Care. The correct expiration date is May 1, 1989.

Respectfully,
ANTHONY S. EARL
Governor

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 84-8

AN ORDER to amend Trans 4.03 (2) and 4.06 (2), (3) and (4); and to repeal and recreate Trans 4.04, 4.05 and

4.08 (5), relating to the urban mass transit operating assistance program.

Submitted by Department of Transportation.

Report received from agency, February 24, 1984.

Referred to committee on Transportation, February 28, 1984.

The committee on Transportation reports and recommends:

Clearinghouse Rule 82-140

AN ORDER to repeal Trans 200.03 (5); to renumber Trans 200.03 (2) to (4) and 200.03 (6) to (8); to amend Trans 200.04 (1) and (2); to repeal and recreate Trans 200.01; and to create Trans 200.015, 200.03 (2), 200.03 (6) and 200.06, relating to erection and maintenance of guidance, motorist service, specific information and business signs within the limits of public highways.

No action taken.

CARL OTTE
Chair

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

Assembly Bill 169
Assembly Bill 305
Assembly Bill 563
Assembly Bill 604
Assembly Bill 721
Assembly Bill 839
Assembly Bill 842
Assembly Bill 850
Assembly Bill 927
Assembly Bill 1046

Concurred in:

Senate Joint Resolution 55
Senate Bill 148
Assembly Bill 434, senate amendment 1

Amended and concurred in as amended:

Senate Bill 331, assembly amendments 1 and 2

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 169

Relating to the consumption of beer and liquor by minors and creating a penalty.

By Representatives Nelsen, Medinger, Turba, Young, Porter, Plewa, Robinson, Roberts, Walling, Meaux, Metz, Stewart, Jaronitzky, Panzer, Gerlach, Andrea, Rosenzweig, Moyer and Goodrich, co-sponsored by Senators Chilsen, Norquist, Offner, Lee, Hanaway, Harsdorf and Engeleiter, by request of

Wisconsin Juvenile Officers' Association, Milwaukee County Juvenile Control Council.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 305

Relating to the issuance of citations and summonses for misdemeanors and pretrial inquiries, reports and other services and making appropriations.

By Legislative Council.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 563

Relating to developing a state health insurance plan.

By Legislative Council.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Assembly Bill 604

Relating to authorizing cities and counties to be designated as agents of the department of health and social services and the department of agriculture, trade and consumer protection for inspecting and issuing permits and licenses to certain establishments, authorizing city and county regulation of those establishments, authorizing the department of health and social services and cities and counties to issue temporary orders and final decisions and orders regarding immediate health dangers, providing for a study, granting rule-making authority and providing penalties.

By Legislative Council.

Read first time and referred to joint committee on Audit.

Assembly Bill 721

Relating to broadening the definition of dealer for purposes of obtaining a grain dealer's certificate of registration.

By Representatives R. Travis, Swoboda, Turba, Bradley, Tregoning, Shoemaker, Hasenohrl and Clarenbach, co-sponsored by Senators Kreul and Harsdorf, by request of Richard Helker, Platteville, WI.

Read first time and referred to committee on Agriculture and Rural Affairs.

Assembly Bill 839

Relating to temporary suspension of cost-of-living adjustments to campaign disbursement levels and limitations and certain contribution limitations.

By Representatives Johnson, Loftus, T. Thompson, D. Travis, Crawford and Manske, co-sponsored by Senators Cullen, Kincaid, Helbach and Lee.

Read first time and referred to committee on Urban Affairs and Government Operations.

Assembly Bill 842

Relating to recall of municipal and school district officers.

By Representatives Hauke, Robinson and Buettner.

Read first time and referred to committee on Urban Affairs and Government Operations.

Assembly Bill 850

Relating to revision of the membership of boards and examining boards in the department of regulation and licensing.

By Representatives Munts, Nelsen, Vanderperren, Neubauer, Metz, Walling, M. Coggs, Bell, Rogers, Crawford, Becker and Miller, co-sponsored by Senators Norquist, Feingold, Offner, Risser and Lee, by request of Department of Regulation and Licensing.

Read first time and referred to committee on Urban Affairs and Government Operations.

Assembly Bill 927

Relating to the state public defender and making appropriations.

By Representatives D. Travis, M. Coggs, Munts, Schneider, Becker, Loftus, Johnson, Clarenbach, Neubauer, Robinson, Prosser, Goetsch, Kunicki, Medinger, Chvala, Wineke, Seery, S. Coggs, Crawford, Plous, Schultz, Miller and Metz, co-sponsored by Senators George, Risser, Cullen, Norquist, Thompson, Feingold, Lorman, Hanaway, Kincaid, Otte and Maurer, by request of Governor Anthony S. Earl.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 1046

Relating to the limitation upon amounts expendable from state employe salary and fringe benefit supplements, correcting pay inequities in the compensation plan for nonrepresented employes in the state classified service, reimbursement for use of personal automobiles and conversion of sick leave credits for health insurance premiums for nonrepresented state employes and to annual leave during temporary layoff, overtime pay on Good Friday, paid personal holidays for nonrepresented employes in the state classified service and making an appropriation.

By Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

CALENDAR OF FEBRUARY 28

Senate Bill 365

Relating to the use of drug product equivalents in filling prescriptions and directing the medical examining board to publish a pamphlet explaining the drug product equivalent law.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

SPECIAL ORDER

Senate Bill 174

Relating to employment relations in higher education and making appropriations.

Read a second time.

Senator George in the chair.

10:15 A.M.

Senate amendment 1 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 1?

By request of Senator Kreul, with unanimous consent, the senate recessed until 10:56 A.M.

10:16 A.M.

RECESS

10:56 A.M.

The senate reconvened.

The question was: Adoption of senate amendment 1?

Senator Otte moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

Senator Risser moved that **Senate Bill 174** be indefinitely postponed.

The question was: Shall the bill be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Johnston, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Opitz, Risser and Theno -- 17.

Noes -- Senators Adelman, Cullen, Czarnezki, Harsdorf, Helbach, Kincaid, Kleczka, Maurer, Moen, Norquist, Otte, Roshell, Strohl and Van Sistine -- 14.

Absent or not voting -- Senator Thompson -- 1.

So the bill was indefinitely postponed.

Senate Bill 35

Relating to exclusion from penalties for conflict of interest in public contracts.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 35

Read a third time and passed.

Senate Bill 168

Relating to the creation of a uniform unclaimed property act, granting rule-making authority, making appropriations and providing penalties.

Read a second time.

Senate substitute amendment 1 offered by Senator George.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 168

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 1; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno and Van Sistine -- 29.

Noes -- Senator Chilsen -- 1.

Absent or not voting -- Senators Maurer and Thompson -- 2.

So the bill passed.

Senate Bill 324

Relating to venue in civil actions and special proceedings.

Read a second time.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 324

Read a third time and passed.

Senate Bill 370

Relating to exempting retirement benefits from the income tax.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 370** was referred to joint committee on Finance.

Senate Bill 404

Relating to artwork for department of natural resources hunting and fishing stamps.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 404** was referred to joint committee on Finance.

Senate Bill 472

Relating to increasing the number of circuit judges.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 472** was referred to joint committee on Finance.

Senate Bill 497

Relating to warning signs on certain electrical supply equipment and granting rule-making authority.

Read a second time.

Senate substitute amendment 1 offered by Senator Strohl.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 497

Read a third time and passed.

Senate Bill 501

Relating to an income and franchise tax credit for allowing vocational, technical and adult education districts to use industrial equipment and authorizing those districts to make contracts for that use.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 501

Read a third time and passed.

Senate Bill 511

Relating to exempting raffle tickets from the sales tax.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 511** was referred to joint committee on Finance.

Senate Bill 514

Relating to summons forms.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 514

Read a third time and passed.

Senate Bill 557

Relating to renewal of woodland tax law contracts.

Read a second time.

Ordered to a third reading.

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By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 557

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Ellis, Feingold, George, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, Maurer, Moen, Opitz, Risser, Strohl, Thompson and Van Sistine -- 19.

Noes -- Senators Czarnezki, Davis, Engeleiter, Hanaway, Harsdorf, Helbach, Lorman, McCallum, Norquist, Otte, Roshell and Theno -- 12.

Absent or not voting -- Senator Kleczka -- 1.

So the bill passed.

Senate Bill 559

Relating to the registration of motor vehicles subject to inspection under the motor vehicle emission inspection and maintenance program.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 559

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senator Kleczka -- 1.

So the bill passed.

Senate Bill 567

An act to authorize and direct expenditure of \$17,663.16 from the general fund for payment of 6 claims against the state made by Robert Cannon, Leander Foley, Jr., Hugh O'Connell, Robert Landry, John Decker and Robert Curley.

Read a second time.

The question was: Adoption of senate substitute amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 567

Read a third time.

The ayes and noes were required and the vote was: ayes, 20; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Ellis, Feingold, George, Hanaway, Kincaid, Kleczka, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Otte, Risser, Strohl, Theno, Thompson and Van Sistine -- 20.

Noes -- Senators Cullen, Czarnezki, Davis, Engeleiter, Harsdorf, Helbach, Johnston, Kreul, Lasee, Lee, Opitz and Roshell -- 12.

Absent or not voting -- None.

So the bill passed.

Senate Bill 572

Relating to repealing a condition on the sale of oleomargarine.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 572

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 5; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Helbach, Kincaid, Kleczka, Kreul, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Otte, Risser, Strohl, Theno, Thompson and Van Sistine -- 26.

Noes -- Senators Chilsen, Harsdorf, Lasee, Opitz and Roshell -- 5.

Absent or not voting -- Senator Johnston -- 1.

So the bill passed.

Senate Bill 587

Relating to the terms of officers of firemen's associations.

Read a second time.

Senate amendment 1 offered by Senator Norquist.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 587

Read a third time and passed.

Assembly Bill 88

Relating to security for instalment payments of inheritance taxes on the property of closely held businesses.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 88

Read a third time and concurred in.

Assembly Bill 132

Relating to winery permits.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 132** was referred to joint committee on Finance.

Assembly Bill 193

Relating to male and female prisoners participating together in supervised activities.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 193

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 6; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Lee, Lorge, Lorman, Maurer, Moen, Norquist, Otte, Risser, Strohl, Thompson and Van Sistine -- 26.

Noes -- Senators Kreul, Lasee, McCallum, Opitz, Roshell and Theno -- 6.

Absent or not voting -- None.

So the bill was concurred in as amended.

Assembly Bill 304

Relating to investigations in stepparent adoptions.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 304

Read a third time and concurred in.

Assembly Bill 633

Relating to residency requirements for corporate winery permittees.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 633

Read a third time and concurred in.

Senator Chilsen asked unanimous consent that all action be ordered immediately messaged.

Senator Lorge objected.

Senator Norquist asked unanimous consent that all action be ordered immediately messaged.

Senator Lorge objected.

MOTIONS

Senator Lorge moved reconsideration of the vote by which **Senate Bill 514** passed.

The question was: Reconsideration of the vote by which **Senate Bill 514** passed?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 21; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Ellis, George, Harsdorf, Johnston, Kreul, Lorge, Lorman, McCallum, Opitz and Theno -- 11.

Noes -- Senators Adelman, Cullen, Czarnezki, Davis, Engeleiter, Feingold, Hanaway, Helbach, Kincaid, Kleczka, Lasee, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 21.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 241** by Senators Strohl, Maurer, Feingold, Lorman, Hanaway, Otte and Kincaid.

Senate amendment 2 to **Senate Bill 511** by Senator Lorman.

Senate amendments 2 and 3 to **Senate Bill 581** by Senator Van Sistine.

Senate amendment 1 to **Senate Bill 640** by Senator Risser.

Senate substitute amendment 1 to **Assembly Bill 200** offered by Senators Hanaway, Adelman, Engeleiter, Feingold, Cullen, Norquist, Harsdorf, Lorman, Czarnezki, Helbach, Kincaid, Lee, Moen, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine.

Senate amendment 1 to **Assembly Bill 218** by Senator Davis.

Senate amendment 1 to senate amendment 1 to **Assembly Bill 698** by Senator Adelman.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Thursday, March 1.

3:50 P.M.

Senate Bill 500, senate substitute amendment 1

1. Page 4, line 9: delete "byrule" and substitute "by rule".